

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date 8/18/04

Division **County Attorney**

AGENDA ITEM WORDING

Presentation of settlement offer from Scott & Victoria Curry to settle code enforcement lien imposed against property.

ITEM BACKGROUND

The Curry's had a swimming pool built on their property without benefit of a permit in the spring of 2002. When they failed to appear at their October 31, 2002 hearing, the Special Master found them in violation for building without a permit. The Special Master imposed a \$200 per day fine for each day after January 23, 2003 in which the permit was not obtained. After some delay, a portion of which was attributable to staff, the permit was issued. As of April 8, 2004, the date of compliance, the lien totaled \$87,600.00. Staff has offered to recommend to the Board that it settle the lien for \$6,650, a figure which is less than 10% of the fine but which gives the Currys credit for the fees already paid by them (@\$2100). Mr. & Mrs. Curry have rejected that amount and wish to have the fine eliminated altogether.

PREVIOUS RELEVANT BOCC ACTION

The Board tabled this item at the June meeting and it was pulled at the July meeting in order to give the Curry's an opportunity to appear personally.

CONTRACT/AGREEMENT CHANGES n/a

STAFF RECOMMENDATIONS -- Reject the Curry's counter offer.

TOTAL COST	BUDGETED	Yes	No
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COST TO COUNTY	SOURCE OF FUNDS
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APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

DIVISION DIRECTOR APPROVAL:

 08/03/04
JOHN R. COLLINS

DOCUMENTATION: Not Required xx

AGENDA ITEM # 07